

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In Re:
Walter Ellerbe,
Debtor.

Case No.: 12-34620
Chapter 13

ORDER

THIS CAUSE came before this Honorable Court upon the Objection of the debtors, by counsel, to Claim Number 2-1 filed by Mary Joe Wilfong, and

IT APPEARING to this Honorable Court that Claim 2-1 was filed in the amount of \$12,148 as priority debt in connection with a civil judgment and

IT APPEARING that no basis for allowing said claim as filed is supported and, by agreement of the parties, it is **ADJUDGED, ORDERED AND DECREED** that the objection of the debtor is hereby sustained and claim 2-1 shall remain disallowed as filed, with leave to amend, and:

It is further **ORDERED** that Mary Joe Wilfong may amend her claim to include up to \$2,795 of her debt as priority under 11 U.S.C. 507(a)(4) and the remainder, up to \$9,353, as nonpriority, unsecured debt without further objection from the debtor and

It is further **ORDERED** that upon filing of the amended claim as specified herein, that debtor shall have 21 days to file an amended Plan that provides for paying \$2,795 of said claim as priority debt, with the remainder to be provided for as nonpriority, unsecured debt. The Chapter 13 Trustee shall retain all rights with respect to the amended Plan.

Steve C. Taylor, Esquire
Law Offices of Steve C. Taylor
Attorney for the debtor(s)
133 Mount Pleasant Road
Chesapeake, Virginia 23322
(757) 482-5705
SBA #: 31174

It is further **ORDERED** that a copy of the entered Order be forwarded to Mary Joe Wilfong, 5200 Hampton Blvd. Norfolk, VA 23508; Office of the U. S. Trustee, 701 East Broad Street, Suite 4304 Richmond, VA 23219; Robert E. Hyman, Chapter 13 Trustee, PO Box 1780 Richmond, Virginia 23218-1780; Law Offices of Steve C. Taylor, 133 Mt. Pleasant Rd., Chesapeake, VA 23322; and the debtor, Walter Ellerbe, 1504 Summit Oak Court, Apt. A Henrico, VA 23228

ENTERED: _____

JUDGE

I ask for this:

/s/ Steve C. Taylor
Steve C. Taylor, Esquire
Law Offices of Steve C. Taylor
Attorney for the debtor(s)
133 Mount Pleasant Road
Chesapeake, Virginia 23322
(757) 482-5705
SBA #: 31174

Agreed:

/s/ Mary Joe Wilfong
Mary Joe Wilfong

Seen:

Steve C. Taylor, Esquire
Law Offices of Steve C. Taylor
Attorney for the debtor(s)
133 Mount Pleasant Road
Chesapeake, Virginia 23322
(757) 482-5705
SBA #: 31174

/s/ Robert E. Hyman
Robert E. Hyman., Chapter 13 Trustee

Certificate

I hereby certify that all necessary parties have endorsed this Order.

/s/ Steve C. Taylor
Steve C. Taylor, Esquire

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Attorney for the debtor(s)
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